

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6547

BILL NUMBER: HB 1161

NOTE PREPARED: Jan 2, 2012

BILL AMENDED:

SUBJECT: Employment Status of Job Applicants.

FIRST AUTHOR: Rep. Pelath

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that, for purposes of Indiana civil rights law, "discriminatory practice" includes the exclusion of a person from equal opportunity for employment because of the person's employment status at the time the person applies for or inquires about employment. It provides that a contract to which the state or a political or civil subdivision is a party must contain a provision requiring the contractor and any subcontractor not to discriminate against an applicant or prospective applicant for employment with respect to the employment status of the applicant or prospective applicant. The bill also authorizes the Civil Rights Commission to: (1) study problems of discrimination that are, with regard to employment, based on a person's employment status; and (2) receive and investigate written complaints concerning discriminatory practices related to the employment status of applicants or prospective applicants for employment, and it makes technical corrections.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Civil Rights Commission:* Expanding the jurisdiction of the Civil Rights Commission to include discrimination related to the employment status of applicants or prospective applicants for employment will likely increase the Commission's workload. The bill's ultimate impact on the Commission will depend on the number of cases initiated.

The additional funds and resources required could be supplied through existing staff and resources currently being used in another program or with new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on legislative and administrative actions. This bill does not contain an appropriation.

Explanation of State Revenues: *Court Fee Revenue:* If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil costs fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$5), judicial salaries fee (\$19), public defense administration fee (\$5), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected: Civil Rights Commission; All.

Local Agencies Affected: Trial courts, city and town courts; All.

Information Sources:

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